

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, WESTERN MARYLAND RAILWAY CO. legal owners, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified pursuant to the Zoning Law of Baltimore County from an _____ zone to an _____ zone for the following reasons:

MAP: 26
SECTION: 12
BLOCK: 3
D. T. 2121
TYPE: 1
PLANNING: 1
BY: 24

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for one (1) 12' x 25' illuminated outdoor

Property is to be posted and advertised as prescribed by Zoning Regulations. For we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

By FOSTER AND KLEISER WESTERN MARYLAND RAILWAY COMPANY
Contract 3001 Remington Avenue Lessee
Baltimore, Maryland 21211
235-8820
Petitioner's Attorney
Protestant's Attorney

ORDERED By the Zoning Commissioner of Baltimore County, this 7th day of August, 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of September, 1979, at 10:00 o'clock A.M.

(over)

Property Description

Beginning at a point located on the southeast side of Painters Mill Road (40 feet wide), 45 feet from the centerline and 395 feet from the centerline of Music Fair Road (70 foot right-of-way) and thence running the following courses and distances: 1) northeasterly 8 feet to a point; thence 2) southeasterly 25 feet to a point; thence 3) southwesterly 8 feet to a point; thence 4) northwesterly 25 feet to the point of beginning.

Property located in the Western Maryland Railroad Right-of-Way.

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
SE/S of Painters Mill Rd., 395'
NE of Music Fair Rd., 3rd District : OF BALTIMORE COUNTY
WESTERN MARYLAND RAILWAY : Case No. 80-96-X
COMPANY, Petitioner

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 11th day of September, 1979, a copy of the foregoing Order was mailed to Mr. R. D. Clark, Manager, Real Estate & Industrial Development, Western Maryland Railway Company, Petitioner, 2 North Charles Street, Baltimore, Maryland 21201; and Foster & Kleiser, 3001 Remington Avenue, Baltimore, Maryland 21211, Lessee.

John W. Hessian, III
John W. Hessian, III

RE: PETITION FOR SPECIAL : BEFORE THE
EXCEPTION : ZONING COMMISSIONER
SE/S of Painters Mill :
Road, 395' :
NE of Music Fair Road, :
Third District :
WESTERN MARYLAND RAILWAY : OF
COMPANY, Petitioner : BALTIMORE COUNTY
CASE NO. 80-96-X

APPEARANCE

MR. COMMISSIONER:

Please enter my appearance in this proceeding on behalf of the Petitioner.

W. Albert Figinski
W. ALBERT FIGINSKI
Melnicova, Kaufman & Weiner, P.A.
36 S. Charles Street
Sixth Floor
Baltimore, Maryland 21201
332-8520

October 18, 1979

Mr. R. D. Clark, Manager
Real Estate & Industrial Development
Western Maryland Railway Company
2 North Charles Street
Baltimore, Maryland 21201

RE: Petition for Special Exception
SE/S of Painters Mill Road, 395'
NE of Music Fair Road - 3rd
Election District
Western Maryland Railway Com-
pany - Petitioner
NO. 80-96-X (Item No. 21)

Dear Mr. Clark:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/eri

Attachments

cc: Mr. William Walker
Foster and Kleiser
3001 Remington Avenue
Baltimore, Maryland 21211

John W. Hessian, III, Esquire
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William Hammond
TO: Zoning Commissioner Date September 18, 1979
John D. Seyffert, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition #80-96X Item 21
Petition for Special Exception for outdoor advertising sign
Southeast side of Painters Mill Road, 395 feet Northeast
of Music Fair Road
Petitioner - Western Maryland Railway Company

3rd District

HEARING: Thursday, September 27, 1979 (10:00 A.M.)

As to the appropriateness of this proposal, this office offers no comments.

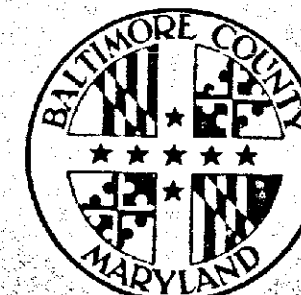
John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:sb

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Western Maryland Railway Company cc: Mr. William Walker
Manager-Real Estate & Industrial Development 3001 Remington Avenue
2 North Charles Street Baltimore, Maryland 21211
Baltimore, Maryland 21201

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 7th day of August, 1979.

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Western Maryland Railway Co.
Petitioner's Attorney

Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met, the Special Exception to erect and maintain one illuminated outdoor advertising sign on the herein described property.

"Beginning at a point located on the southeast side of Painters Mill Road (40 feet wide), 45 feet from the centerline and 395 feet from the centerline of Music Fair Road (70 foot right-of-way) and thence running the following courses and distances: 1) northeasterly 8 feet to a point; thence 2) southeasterly 25 feet to a point; thence 3) southwesterly 8 feet to a point; thence 4) northwesterly 25 feet to the point of beginning."

should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of October, 1979, that the herein Petition for Special Exception to erect and maintain one illuminated outdoor advertising sign, as described above, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Sign shall not exceed 12 feet by 25 feet, a total surface area of which shall not exceed 300 square feet.
2. Sign shall not be located closer to the street right-of-way line than the minimum front yard requirement for a commercial building, as determined by the Baltimore County Zoning Regulations applicable to an M.L. Zone-I.M. District classification.
3. Sign shall not be located within 50 feet of any street, highway, or alley intersection.
4. Sign shall not be located within 1,000 feet of any other outdoor advertising sign on the same side of the street.
5. Compliance with the conditions set forth in Section 413.5 of the aforementioned Regulations.
6. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 19, 1979

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

ooo
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Western Maryland Railway Company
Manager-Real Estate & Industrial Development
2 North Charles Street
Baltimore, Maryland 21201

RE: Item No. 21
Petitioners - Western Maryland
Variance Petition

Attention: Mr. R. W. Clark

Dear Mr. Clark:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal to locate an outdoor advertising sign at the intersection of the Western Maryland Railroad and Painters Mill Road in the 3rd Election District, this Special Exception is required.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NEC:hk

Enclosures

cc: Mr. William Walker
3001 Remington Avenue
Baltimore, Maryland 21201



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

THORNTON M. MOURING
DIRECTOR

August 28, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #21 (1979-1980)
Property Owner: Western Maryland Railway Co.
S/ES Painters Mill Rd. 395' N/E Music Fair Rd.
Existing Zoning: M.L.-I.M.
Proposed Zoning: Special Exception for one 12'x25'
illuminated advertising structure.
Acres: 200 sq. ft. District: 3rd

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 21 (1979-1980).

Very truly yours,

[Signature]
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

T-SW Key Sheet
43 NW 31 Pos. Sheet
NW 11 H Topo
67 Tax Map



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 436-3211

John D. Seyffert
DIRECTOR

September 17, 1979

Mr. William Hammond, Zoning Commissioner
Office of Planning and Zoning
Zoning Advisory Committee
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #21, Zoning Advisory Committee Meeting, August 7, 1979, are as follows:

Property Owner: Western Maryland Railway Co.
Location: SE/side Painters Mill Rd. 395' NE Music Fair Rd
Existing Zoning: M.L.-I.M.
Proposed Zoning: Special Exception for one 12' X 25' illuminated advertising structure
Acres: 200 sq. ft.
District: 3rd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 7, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: August 7, 1979

RE: Item No: 21, 22, 23, 24, 25, 26, 27, 30, 31
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

[Signature]
W. Nick Petrovich,
Field Representative

WNP/bp

JOSIEPH M. MCGOWAN, PRESIDENT
T. RAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOTSARIS

THOMAS R. BOYEN
MRS. LORRAINE F. CHURCH
ROGER B. HAYDON

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

ROBERT V. DUNN, SUPERINTENDENT



Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reinecke
CHIEF

August 9, 1979

William E. Hammond
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Western Maryland Railway Co.

Location: SE/3 Painters Mill Rd. 395' NE Music Fair Rd.

Item No. 21 Zoning Agenda Meeting of 8/7/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle load and condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

- (x) 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED *[Signature]* 8/14/79
Approved: *[Signature]*
Planning Group
Special Inspection Division



Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21204
(301) 436-3610

Ted Zalecki
DIRECTOR

August 13, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #21 Zoning Advisory Committee Meeting, August 7, 1979 are as follows:

Property Owner: Western Maryland Railway Co.
Location: SE/3 Painters Mill Road 395' NE Music Fair Road
Existing Zoning: M.L. - I.M.
Proposed Zoning: Special Exception for one 12' X 25' illuminated advertising structure

Acres: 200 sq. ft.
District: 3rd

The items checked below are applicable:

- X.A. Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, and other applicable codes.
- B. A building permit shall be required before construction can begin.
- C. Additional _____ Permits shall be required.
- D. Building shall be upgraded to new use - requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- I. No Comment.
- X.J. Comments: Please be aware of Public Service Commission Railroad track clearances - there does appear to be ample room.

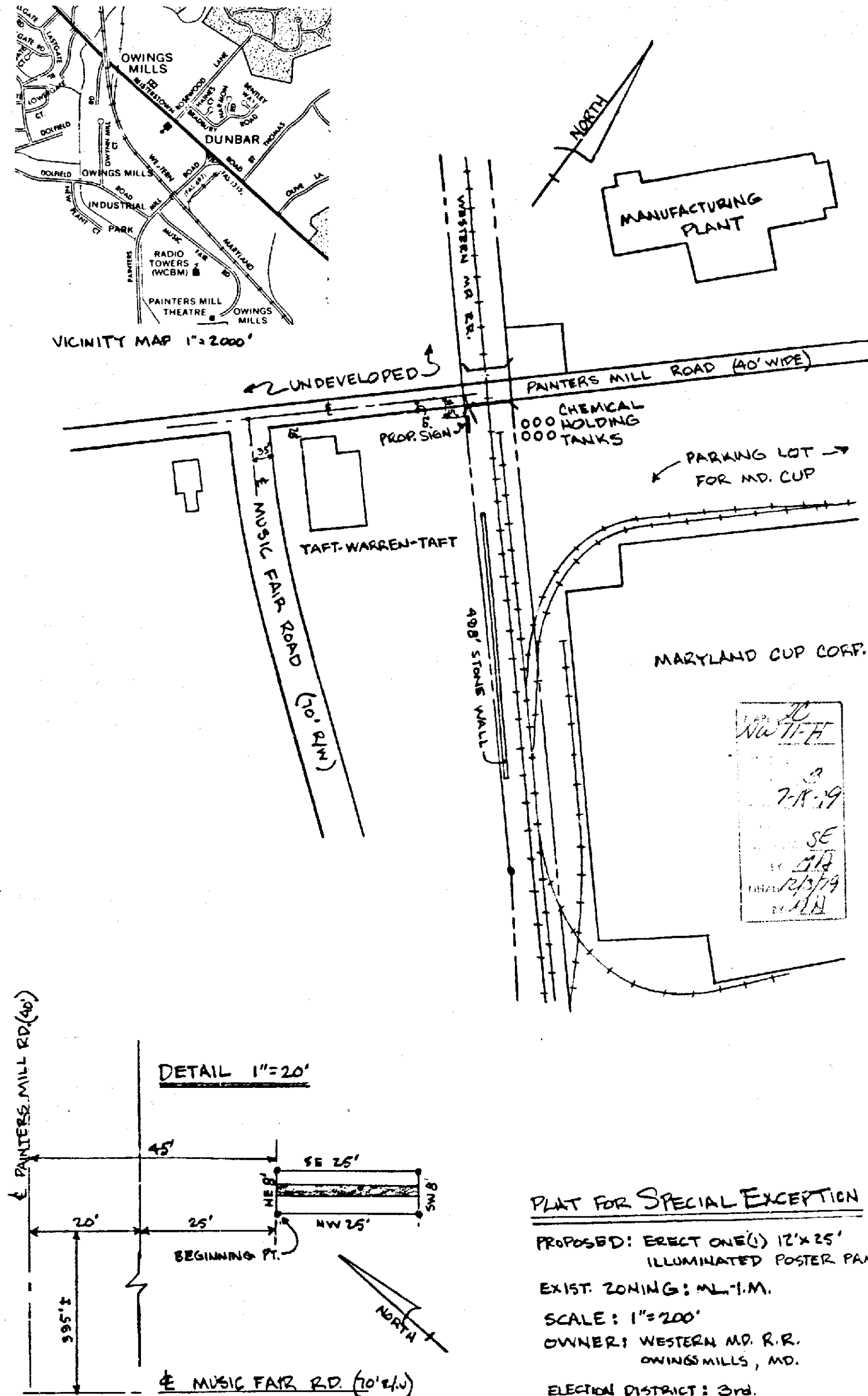
NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours,

[Signature]
Charles E. Burnham, Chief
Plans Review

CEB:rtj

JAN 30 1980



80-96-X

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: SEPT. 7, 1979

Posted for: PETITION FOR SPECIAL EXCEPTION

Petitioner: WESTERN MARYLAND RAILWAY CO.

Location of property: SE/S OF PAINTERS MILL RD, 395' NE OF MUSIC FAIR ROAD

Location of Signs: SE/S OF PAINTERS MILL RD, 395' + 0' - NE OF MUSIC FAIR RD.

Remarks: 1- SIGN

Posted by: William E. Hammond Date of return: SEPT. 11, 1979

Signature

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 16 day of July, 1979.*

Filing Fee \$ 50 Received: Check Cash Other

Petitioner Western Md. Railway Submitted by W. Walker

Petitioner's Attorney - Reviewed by APC

William E. Hammond, Zoning Commissioner

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 83149

DATE August 28, 1979 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED FROM: Foster & Kleiser

FOR: Filing Fee for Case No. 80-96-X

397180829 50.00

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 83226

DATE October 9, 1979 ACCOUNT 01-662

AMOUNT \$10.12

RECEIVED FROM: Foster & Kleiser

FOR: Advertising and Posting for Case No. 80-96-X

324720010 40.42

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 6, 1979.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once one time successive weeks before the 27th day of September, 1979, the first publication appearing on the 6 day of September, 1979.

THE JEFFERSONIAN,
L. Susan Struff Manager.

Cost of Advertisement, \$ _____

PETITION FOR SPECIAL EXCEPTION
3rd District
ZONING: Petition for Special Exception for outdoor advertising sign.
LOCATION: Southeast side of Painters Mill Road, 395 feet Northeast of Music Fair Road.
DATE & TIME: Thursday, September 27, 1979 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Special Exception for one 12 foot by 25 foot illuminated outdoor advertising sign.
All that parcel of land in the Third District of Baltimore County Beginning at a point located on the southeast side of Painters Mill Road (40 foot wide), 45 feet from the centerline and 395 feet from the centerline of Music Fair Road (70 foot right-of-way) and thence running the following courses and distances: 1) northeasterly 8 feet to a point; thence 2) southeasterly 30 feet to a point; thence 3) southwesterly 25 feet to a point; thence 4) northwesterly 25 feet to the point of beginning.
Property located in the Western Maryland Railroad Right-of-Way. Being the property of Western Maryland Railway Company, as shown on plat filed with the Zoning Department.
Hearing Date: Thursday, September 27, 1979 at 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of:
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
Sept. 6.

PETITION FOR SPECIAL EXCEPTION
3rd District
ZONING: Petition for Special Exception for outdoor advertising sign.
LOCATION: Southeast side of Painters Mill Road, 395 feet Northeast of Music Fair Road.
DATE & TIME: Thursday, September 27, 1979 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Special Exception for one 12 foot by 25 foot illuminated outdoor advertising sign.
All that parcel of land in the Third District of Baltimore County Beginning at a point located on the southeast side of Painters Mill Road (40 foot wide), 45 feet from the centerline and 395 feet from the centerline of Music Fair Road (70 foot right-of-way) and thence running the following courses and distances: 1) northeasterly 8 feet to a point; thence 2) southeasterly 30 feet to a point; thence 3) southwesterly 25 feet to a point; thence 4) northwesterly 25 feet to the point of beginning.
Property located in the Western Maryland Railroad Right-of-Way. Being the property of Western Maryland Railway Company, as shown on plat filed with the Zoning Department.
Hearing Date: Thursday, September 27, 1979 at 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of:
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
Comm. Sept 6 (923)

OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 September 6 1979

THIS IS TO CERTIFY, that the annexed advertisement of Petition for Special Exception, Western Maryland Railway Company was inserted in the following:

☐ Catonsville Times ☐ Arbutus Times
☐ Essex Times ☒ Community Times
☐ Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 7th day of September 1979, that is to say, the same was inserted in the issues of September 6, 1979.

STROMBERG PUBLICATIONS, INC.
BY Esther Burger

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>MB</u>	Revised Plans: Change in outline or description <u>Yes</u> Map # _____									
Previous case: _____	_____ No									

JAN 30 1980